IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION No. 12892 of 2005

Between:

1 Annamgi Krishnaiah, S/o China Nannaiah,
2 Devareddi Subramanyam Reddy, S/o Srinivasulu Reddy,
3 Annamgi Aruna, S/o Venkateswarlu,
4 Nali Nirmala, W/o Narayana,
5 Annamgi China Ramanaiah, S/o Ragaiah,
6 Jagabathina Siddaiah, s/o Papaiah,
(All the petitioners are residing at Punnapuvaripalem Village,

Chillakur Mandal, Nellore District)_.

..... PETITIONERS

AND

1 The District Collector, Nellore.
2 The Executive Engineer, Panchayat Raj,

Gudur. Nellore District.
3 The Deputy Executive Engineer, Panchayat Raj,

Gudur, Nellore District.
4 The Assistant Engineer, Panchayat Raj,

Chillakur Mandal, Chillakur, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of mandamus, directing the respondents not to cancel the work of construction of Community Hall at Punnapuvaripalem village, Chillakur Mandal, Nellore District and permit the petitioners to complete the work entrusted to them, and pass such other order or orders in the interests of justice.

Counsel for the Petitioner: MR.P.KRISHNA REDDY

Counsel for the Respondent Nos.1 to 4: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the admission stage made the following:

ORDER:

Seeking a direction to the respondents not to cancel the work of construction of Community Hall at Punnapuvaripalem village, Chillakur Mandal, Nellore District and permit the petitioners to complete the work entrusted to them, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj and Rural Development.

The learned counsel for the petitioner contended that at the first instance the 1st respondent accorded administrative sanction for 50 works to the petitioners under MPLADS for the year 2004-05 and the construction of Community Hall is one among those works, and subsequently the 1st respondent by order dated 20.04.2005 released 25% rice tie-up for the said 50 works sanctioned. He further contended that contrary to the said administrative sanction, the 2nd respondent issued the impugned order dated 23.05.2005 according permission to execute the work for the construction of Community Hall at Punnapuvaripalem departmentally, depriving the right of the petitioners.

The learned Government Pleader for Panchayat Raj and Rural Development submitted that the department, keeping in view of speedy execution, taken a decision to execute the work of construction of Community Hall departmentally.

If the respondents intend to execute the work of construction of Community Hall at Punnapuvaripalem speedily, they have to take assistance of the petitioners, as they were already entrusted with the earlier works, in executing the said work departmentally.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition, with a direction to the respondents to take the assistance of the petitioners and villagers of Punnapuvaripalem in executing the work of construction of Community Hall at Punnapuvaripalem, without engaging any person from outside the village.

With the above direction, the Writ Petition is disposed of. No order as to costs.

Dated: 17.06.2005

Dsr

Note:

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Issue CC in two days

B/o

Dsr

ASSISTANT REGISTRAR

To:

1. The District Collector, Nellore

2. The Executive Engineer, Panchayat Raj,

Gudur, Nellore District

3. The Deputy Executive Engineer,

Panchayat Raj, Gudur, Nellore District

4. The Assistant Engineer, Panchayat Raj,

Chillakur Mandal, Chillakur, Nellore District

5. Two CCs to the Government Pleader for

Panchayat Raj and Rural Development,

High Court Buildings, Hyderabad (OUT)

6. Two CD copies